

Senate File 2179

H-8331

- 1 Amend Senate File 2179, as passed by the Senate, as
2 follows:
- 3 1. Page 2, after line 7 by inserting:
4 <Sec. _____. Section 321.445, subsection 3, Code
5 2009, is amended to read as follows:
6 3. The driver and front seat passengers may be
7 each charged separately for improperly used or nonused
8 equipment under subsection 2. However, the driver
9 shall not be charged for a violation by a passenger who
10 is fourteen years of age or older unless the passenger
11 is unable to properly fasten a seat belt due to a
12 temporary or permanent disability. The owner of the
13 motor vehicle may be charged for equipment violations
14 under subsection 1.>
- 15 2. Page 2, after line 34 by inserting:
16 <Sec. _____. Section 321.446, subsection 4, Code
17 2009, is amended by striking the subsection and
18 inserting in lieu thereof the following:
19 4. A person who violates this section is guilty
20 of a simple misdemeanor punishable as a scheduled
21 violation under section 805.8A, subsection 14,
22 paragraph "c". Violations shall be charged as follows:
23 a. An operator who transports a passenger under
24 fourteen years of age in violation of this section may
25 be charged with a violation of subsection 1 or 2.
26 b. An operator who transports a passenger fourteen
27 years of age or older in violation of this section, if
28 the passenger is unable to properly fasten a seatbelt
29 due to a temporary or permanent disability, may be
30 charged with a violation of subsection 2.
31 c. A passenger fourteen years of age or older may
32 be charged with a violation of subsection 2.
33 d. If a child under fourteen years of age, or a
34 child fourteen years of age or older who is unable
35 to fasten a seatbelt due to a temporary or permanent
36 physical disability, is being transported in a taxicab
37 in a manner that is not in compliance with subsection 1
38 or 2, the parent, legal guardian, or other responsible
39 adult traveling with the child shall be served with a
40 citation for a violation of this section in lieu of
41 the taxicab operator. Otherwise, if a passenger being
42 transported in the taxicab is fourteen years of age or
43 older, the citation shall be served on the passenger in
44 lieu of the taxicab operator.>
- 45 3. By renumbering as necessary.

COMMITTEE ON TRANSPORTATION
QUIRK of Chickasaw, Chairperson